

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Russell R. Ferlita, et al.

Serial No.

10/585,603

, Filed:

July 11, 2006

For:

**NOVEL CRYSTALLINE SALTS OF A DIPEPTIDYL** 

PEPTIDASE-IV INHIBITOR

Art Unit: <u>To Be Assigned</u>

Examiner: To Be Assigned

<sup>1</sup>Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
  - 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
  - 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
  - 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Computer generated form "IDS Letter" (IDS Folder), Merck & Co., Inc., 09/08/2005

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION			
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE		
•		···		
If this is inconvenient, additional copies will be submitted upon rec	quest.			
6. In accordance with 37 C.F.R. 1.97, (check one)				
the attached information is filed within three months of the filir	ng date of the captioned case.			
the attached information is filed more than three months after Office Action on the merits.	the filing date but prior to the r	nailing of a first		
the attached information is filed before the mailing of a first Of examination under §1.114.	ffice action after the filing of a r	request for continued		
the attached information is being filed more than three months. Office Action on the merits, but before the mailing date of a Figure 1.1 otherwise closes prosecution in the application. The enclosed Account No. 13-2755 for the fee required under 37 C.F.R. 1.1	inal Action, Notice of Allowance authorization is therefore give	e, or an action that		
each item of information contained in this Information Disclosion from a foreign patent office in a counterpart foreign application Statement.		_		
each item of information contained in the information disclosure from a foreign patent office in a counterpart application and the designated in §1.56(c) more than thirty days prior to the filing	nis communication was not rec	eived by any individual		
no item of information contained in this Information Disclosure foreign patent office in a counterpart foreign application, and, after making reasonable inquiry, was known to any individual months prior to the filing of this Statement.	to the knowledge of the persor	signing the certification		
	Respectfully submitted,	Quetto		

By: Philippe L. Durette

Attorney For Applicant(s)

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(732)594-<u>4568</u>

Date: <u>June 20, 2007</u>

	Substitute for form 1449A/P	то		COMPLETE IF KNOWN			
	INFORMATION		CLOSURE	Application Number	10/585,603		
P E STATEMENT BY APPLICANT				Filing Date	July 11, 2006		
				First Named Inventor	Russell R. Ferlita, et al.		
(	UN 2 2 1007 B			Group Art Unit	To Be Assigned		
18	(ust as many sheets as necessary)			Examiner Name	To Be Assigned		
	Shippe 1	of	1	Attorney Docket Number	21581YP		

U.S. PATENT DOCUMENTS					
Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	
1	US 2006/0287528 A1		Wenslow, et al.	12/21/2006	
	! 				
		Cite No. Number	Cite No.  U.S. Patent Document  Kind Code (if known)	Cite No.  U.S. Patent Document  Kind Code (if known)  Name of Patentee or Applicant of Cited Document	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	<b>a</b> .		Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Cite No.	Office	Number	Kind Code (if known)		
	1	PCT	WO 2006/033848 A1		Merck & Co., Inc.	03/30/2006
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		U ,		30.0		

Examiner Signature

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.